REMARKS

Claims 1 through 43 are pending in this application. Claims 7-19, 26-43 are hereby withdrawn, **with traverse**. Claim 1 is currently amended.

Claim 1 is amended to recite that the claimed pharmaceutical composition for regulating bone-forming activity in a mammal may comprise an sFRP siRNA nucleic acid or an sFRP shRNA nucleic acid. This amendment is fully supported by the specification as filed. See, for example, page 4, line 23 through page 5, line 1; page 33, line 18 through page 36, line 5; and original claim 18.

The Examiner requires restriction to one of the following invention groups:

I. Claims 1-6, and 20-25 drawn to a pharmaceutical composition for regulating bone-forming activity in a mammal;

II. Claims 7-12, 18, and 31-43 drawn to a method for treating or preventing a bone disorder;

III. Claims 13-15, and 26 drawn to a method for identifying a test compound that regulated SFRP activity;

IV. Claims 16 and 17 drawn to a method for modulating Wnt-mediated signaling in a cell;

V. Claim 19 drawn to a method for diagnosing a bone disease or disorder; and

VI. Claims 27-30 drawn to an immortalized human osteoblast cell that expresses a temperature-sensitive mutant of large T antigen.

In order to be fully responsive, applicants hereby elect **with traverse** the claims of Group I, drawn to a pharmaceutical composition for regulating bone-forming activity in a mammal (Claims 1-6 and 20-25).

The foregoing election is made here in order to be fully responsive to the Requirement for Restriction. However, Applicants respectfully traverse the Requirement, and reserve the right to

petition therefrom under 37 C.F.R. 1.144. In particular, Applicants respectfully request that the Requirement for Restriction be withdrawn, so that all of the pending claims may be examined together in this application.

Under Patent Office examining procedures, "if the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits, even though it includes claims directed to distinct or individual inventions." See, M.P.E.P. 803 (emphasis added).

In particular, the Examiner has noted that the inventions of Group I (claims 1-6, and 20-25) drawn to a pharmaceutical composition for regulating bone-forming activity in a mammal and Group II (claims 7-12, 18, and 31-43) drawn to a method for treating or preventing a bone disorder are related as product and process of use [see M.P.E.P. 806.05(h)]. Applicants submit that the examination of the invention Groups I and II together in this application would not impose an undue burden on the Examiner. Accordingly, applicants request the restriction requirement between these two invention groups be withdrawn.

In the event that the Examiner maintains this restriction requirement, applicants understand that where the elected product claim(s) of Group I are found allowable, the withdrawn process of use claims of invention groups II and IV which depend from the allowable claims of Group I will be eligible for rejoinder as per M.P.E.P. 821.04(b).

The Examiner further requires election of one of the following species of A.) pharmaceutical composition for regulating bone-forming activity in a cell:

A-a. An SFRP or regulating portion thereof;

A-b. An antibody against an SFRP or portions thereof;

A-c. A nucleic acid that encodes SFRP pr regulating portion thereof;

A-d. A nucleic acid that encodes an antibody against an SFRP or portions thereof;

A-e. An SFRP antisense nucleic acid; and

A-f. A small molecule.

In order to be fully responsive, applicants hereby elect **with traverse** the species A-b) for a pharmaceutical composition for regulating bone-forming activity in a cell comprising an antibody against an sFRP or portions thereof. Claims readable on this elected species are elected claims 1-6 and 20-25, as well as withdrawn claims 8-12, 16-17, and 31-43.

The Examiner further requires election of one of the following species of B) a method of facilitating bone formation or repair in a cell, comprising introducing a recombinant construct expressing:

B-a. An antisense nucleic acid to sFRP-1, and

B-b. An siRNA or shRNA to sFRP-1.

In order to be fully responsive, applicants hereby elect **with traverse** the species B-b) for a method of facilitating bone formation or repair in a cell, comprising introducing a recombinant construct expressing an siRNA or shRNA to sFRP-1. Claims readable on this elected species are withdrawn claim 18.

Applicant believes the pending claims are in condition for allowance. An immediate Notice of Allowance is earnestly sought.

It is believed that no fee is required for this response. However, should the USPTO determine that any additional fee is required or that any refund is owed for this application, then please charge the required fee(s) and/or credit the refund(s) due to our Deposit Account No. 04-0100.

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Respectfully submitted,

By _____

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